



City Council Reports Docket

June 22: Land Use
June 23: Public Safety & Transportation, Public
Facilities
June 24: Real Property Reuse
June 28: Zoning & Planning
June 29: Land Use

Page 472
7:45 PM, Virtual
To be reported on
Monday, July 12, 2021

The City Council will hold this meeting as a virtual Zoom meeting on Monday, July 12, 2021, at 7:45 pm.
To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/84605733184>

One tap mobile

US: +16465588656,,84605733184#

Land line

US: +1 301 715 8592

Meeting ID: 846 0573 3184

You may also:

1. Watch a live broadcast of the meeting on NewTV's government channel (Comcast 9, RCN 13, 614(HD), Verizon 33).
2. Viewing a live stream on NewTV's Vimeo channel at: <https://vimeo.com/newtvgov>

City of Newton In City Council Items to be Acted Upon

Unfinished Council Business

#148-21

Amended Petition to allow single-family attached dwelling units at 145 Warren Street
145 WARREN STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four single-family attached dwellings in two buildings, to allow reduced side setbacks, to increase the allowed lot coverage, to allow a driveway within ten feet of the side lot line and to allow retaining walls greater than 4' within a setback, to waive the requirement for one accessible parking stall, to waive one parking stall and to allow a reduced driveway width at 145 Warren Street, Ward 6, Newton Centre, on land known as Section 61 Block 39 Lot 10, containing approximately 23,399 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, 5.1.4, 5.4.2.B, 5.1.8.B.3, 5.1.13, 5.1.8.D.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 5-3 (Councilors Laredo, Markiewicz and Lucas Opposed); Public Hearing Closed 06/08/2021

City Council postponed to July 12, 2021 at the Council Meeting on June 21, 2021

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

Referred to Land Use Committee

Tuesday, June 22, 2021

Present: Councilors Lipof (Chair), Kelley, Greenberg, Lucas, Markiewicz, Downs, Bowman and Laredo;
also Present: Councilor Wright

- #210-21 Petition to further increase nonconforming FAR at 290 Hartman Road**
VYACHESLAV FOS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct single-story rear additions, increasing the nonconforming FAR at 290 Hartman Road, Ward 8, Newton Centre, on land known as Section 2 Block 25 Lot 17, containing approximately 16,906 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.2 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 06/22/2021
- #177-21 Petition to increase nonconforming FAR and allow three-story structure at 540 Dudley Road**
SHIVA KARIMI petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a second story within the footprint of the existing dwelling, increasing the nonconforming FAR and creating a three-story structure at 540 Dudley Road, Ward 8, Newton Centre, on land known as Section 82 Block 27 Lot 02, containing approximately 14,971 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 6-0-1 (Councilor Lucas abstaining, Councilor Laredo Recused); Public Hearing Closed 06/22/2021
- #176-21 Petition to waive five parking stalls at 47 Lincoln Street**
DENISE CROWE/HAMILTON LINEWT ASSOCIATES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to waive five parking stalls at 47 Lincoln Street, Ward 6, Newton Highlands, on land known as Section 52 Block 08 Lot 01, containing approximately 6,968 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 06/22/2021
- #175-21 Petition to allow for-profit educational use at 60, 66-68 Austin Street**
THE RUSSIAN SCHOOL OF MATHEMATICS/L AND B REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a for-profit educational use in in the office space located at 60 Austin Street, to alter a non-conforming non-accessory parking facility, to allow the parking requirements to be met off-site, to allow parking within the side and rear setbacks and within five feet of the street, to allow parking within five feet of dwelling units, to waive the minimum parking stall width and depth, to waive the minimum driveway width for one-way traffic, to waive perimeter screening requirements, to waive interior landscaping requirements and to waive lighting requirements at 60, 66-68 Austin Street, Ward 2, Newtonville, on land known as Section 24 Block 09 Lots 07 and 09, containing approximately 35,616 sq. ft. of land in a district

zoned BUSINESS USE 5. Ref: Sec. 7.3.3, 7.4, 4.4.1, 6.3.14.B.2, 7.8.2.C.2, 5.1.16.A, 5.1.13, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.1, 5.1.8.B.1, 5.1.8.D.1, 5.1.9.A, 5.1.9.B, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 8-0; Public Hearing Continued

#91-21 Zoning amendments for Riverside project

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY requesting amendments to Chapter 30, Newton Zoning Ordinance, in Sections 4.2.4 and 4.4.1 and 6.2.10 relative to the Mixed Use 3 District.

Land Use Held 8-0; Public Hearing Continued

#27-20(2) Petition to amend Special Permit #27-20 for Mixed Use Transit Oriented Development at Riverside Station

MD 399 GROVE OWNER, LLC/RAMIREZ CONCORD, LLC/BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the Special permit site plan as approved by Council Order #27-20 to allow changes to: the square footage of all of the approved buildings, the heights of Buildings 1, 2, 3, 4, 7, 8, 9 and 10, the building footprints shown on the site plan, the open space as shown on the approved site plan, the Comprehensive Sign Package, all at 355 and 399 GROVE STREET on land known as Section 42, Block 11, Lots 3, 4 and 4A, containing approximately 13.05 acres of land in districts zoned Mixed Use 3 Transit Oriented (MU3). Ref: Sec. 4.2.3, 4.2.4, 7.3.3, 7.4, 7.3.5 of the City of Newton Revised Zoning Ordinance, 2017. Proposed Amendments are subject to the proposed text changes to the MU-3 zoning district.

Land Use Held 8-0; Public Hearing Continued

Referred to Land Use Committee

Tuesday, June 29, 2021

Present: Councilors Lipof (Chair), Kelley, Greenberg, Lucas, Markiewicz, Downs, Bowman and Laredo

#211-21 Petition to extend nonconforming FAR and third story at 43 Kenwood Avenue

MARK AND MARTHA FISHMAN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition and construct an oversized dormer to the front façade, extending the nonconforming third story and the nonconforming FAR at 43 Kenwood Avenue, Ward 6, Newton Centre, on land known as Section 64 Block 20 Lot 22, containing approximately 10,652 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 7.8.2.C.2, 3.1.9, 3.1.3, 1.5.4.G.2.b of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 8-0; Public Hearing Closed 06/29/2021

- #71-20** **Amended Petition to allow 2734-unit multi-family dwelling at 1114 Beacon Street**
1114 BEACON STREET LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 2734-unit multi-family dwelling greater than 20,000 sq. ft. of new gross floor area, a four-story structure up to 48' in height, to allow ground floor residential use, to allow an FAR of up to 2.0, a waiver for parking in the side setback, a waiver of the minimum stall depth requirements, relief to allow 1.25 parking stalls per unit, and a waiver of the sustainable design standards at 1114 Beacon Street, Ward 6, Newton Highlands, on land known as Section 54 Block 22 Lot 04, containing approximately 51,745 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C.2, 5.1.4.A, 5.1.13, 5.1.7.A, 5.1.8.B.2, 5.1.8.D.2, 5.4.2.B, 5.12 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Continued
- #179-21** **Petition to allow 174-unit congregate living facility at 333 Nahanton Street/677 Winchester Street**
2LIFE HOLDINGS LLC/2LIFE COLEMAN LIMITED PARTNERSHIP petition for SPECIAL PERMIT/SITE PLAN APPROVAL to create a 6-acre development using land from 333 Nahanton Street to construct a 174-unit congregate living facility with amenity space, connected to the Coleman House via an enclosed walkway, on a new 218,583 subdivided portion of the lot, to determine density and dimensional controls, to allow assigned parking, to allow parking in the side setback, to allow parking within five feet of a building containing dwelling units, to allow reduced parking stall width and depth, to allow reduced accessible stalls, to allow reduced aisle width, to waive perimeter landscaping requirements, to waive lighting requirements for outdoor parking and to allow three years to exercise the special permit at 333 Nahanton Street and 677 Winchester Street, Ward 8, Newton Centre, on land known as Section 83 Block 35 Lots 04 and 04B, containing approximately 1,225,207 sq. ft. of land in a district zoned SINGLE RESIDENCE 1.f Ref: 7.3.3, 7.4, 7.3.2.E, 3.4.1, 3.2.2.A.3, 3.1.2.A.3, 5.1.3.E, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.C.1, 5.1.9.A.1.i, 5.1.10.A.1 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Continued
- #201-21** **Petition to amend Special Permits at 333 Nahanton Street**
JEWISH COMMUNITY CENTERS OF GREATER BOSTON, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend special permit Council Orders #175-18, #147-79, #147-79(2), #292-93 to permit the sale of approximately 218,583 sq. ft. to 2Life Holdings to allow the construction of a congregate living facility, and to allow three years to exercise this amendment at 333 Nahanton Street, Ward 8, Newton Centre, on land known as Section 83 Block 35 Lots 04 and 04B, containing approximately 1,225,207 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: 7.3.3, 7.4, 7.3.2.E, 3.4.1, 3.2.2.A.3, 3.1.2.A.3, 5.1.3.E, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.4, 5.1.8.C.1, 5.1.9.A.1.i, 5.1.10.A.1 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Continued

- #178-21** **Petition to allow marijuana retailer at 1158 Beacon Street**
UNION TWIST, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a retail marijuana establishment, to allow assigned parking, and to waive lighting requirements at 1158 Beacon Street, Ward 6, Newton Highlands, on land known as Section 54 Block 22 Lot 49A, containing approximately 20,443 sq. ft. of space in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 5.1.10, 5.1.3.E, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.
Land Use Held 8-0; Public Hearing Continued

Referred to Zoning & Planning Committee

Monday, June 21, 2021

Present: Councilors Crossley (Chair), Danberg, Albright, Krintzman, Leary, Wright, Ryan, and Baker; also present: Councilors Gentile, Kelley, Oliver, Lucas, Noel, Bowman, Greenberg, Laredo, Malakie, Norton, Kalis, Humphrey and Downs

- #182-21** **Request for Ordinance Amendment to prohibit firearm use(s) in Newton**
COUNCILORS GENTILE, NORTON, GREENBERG, OLIVER, WRIGHT, KALIS, LUCAS, MARKIEWICZ, MALAKIE, GROSSMAN AND LAREDO requesting a new ordinance to prohibit the sale and manufacturing of firearms in Newton.
Zoning & Planning Committee Held 8-0 on 05/26/21, Public hearing will be held on June 21, 2021.
Zoning & Planning Committee Denied 6-1-1 (Councilor Baker opposed, Councilor Wright abstaining), Public Hearing Closed 06/21/21

- #222-21** **Reappointment of Charles Tanowitz to the Economic Development Commission**
HER HONOR THE MAYOR reappointing Charles Tanowitz, 51 Harding Street, West Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire on May 14, 2024 (60 days: 08/06/21)
Zoning & Planning Committee Approved 8-0

- #223-21** **Reappointment of Debora Jackson to the Economic Development Commission**
HER HONOR THE MAYOR reappointing DEBORA JACKSON, 4 Pine Meadow Drive, Auburndale, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire on May 14, 2024 (60 days: 08/06/21)
Zoning & Planning Committee Approved 8-0

- #224-21** **Reappointment of Sarah Rahman to the Economic Development Commission**
HER HONOR THE MAYOR reappointing SARAH RAHMAN, 33 Staniford Street, Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire on May 14, 2024 (60 days: 08/06/21)
Zoning & Planning Committee Approved 8-0

#225-21 Reappointment of Matt Segneri to the Economic Development Commission
HER HONOR THE MAYOR reappointing MATT SEGNERI, 45 Cedar Street, Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire on May 14, 2024 (60 days: 08/06/21)
Zoning & Planning Committee Approved 8-0

#226-21 Reappointment of Jeremy Freid to the Economic Development Commission
HER HONOR THE MAYOR reappointing JEREMY FREID, 35 Cotton Street, Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire on May 14, 2024 (60 days: 08/06/21)
Zoning & Planning Committee Approved 8-0

Referred to Zoning & Planning Committee

Monday, June 28, 2021

Present: Councilors Crossley (Chair), Danberg, Albright, Leary, Wright, Krintzman, Baker, and Ryan; also present: Councilors Malakie, Kelley, Greenberg, Downs, and Oliver

#221-21 Appointment of David Weinstein to the Newtonville Historic District Commission
HER HONOR THE MAYOR appointing David Weinstein, 132 Cornell Street, Newton, as a full member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on June 30, 2024 (60 days: 08/06/21)
Zoning & Planning Held 8-0 on 06/28/21

#150-21 Requesting an amendment to Chapter 30
DIRECTOR OF PLANNING & DEVELOPMENT requesting an amendment to Chapter 30 to allow for flexibility in building story heights without exceeding maximum building heights in business, mixed use and manufacturing districts and to clarify the maximum FAR in business and manufacturing districts where none is currently specified.
Planning & Development Board Approved 5-0; Public Hearing Closed 06/28/2021

#29-20(2) Review and possible amendment of Demolition Delay and Landmark Ordinances
COUNCILORS KELLEY, ALBRIGHT, AUCHINCLOSS, CROSSLEY, GREENBERG, KALIS, KRINTZMAN, LEARY, LIPOF, MARKIEWICZ, BOWMAN, HUMPHREY, RYAN AND NORTON requesting a review and, if appropriate, an update of Chapter 22, Sections 22-50 to 22-76 that relate to demolition delays, historic designation, and landmarking.
Zoning & Planning Approved as Amended 7-0-1 (Councilor Krintzman abstaining) on 05/19/2020
(1) Landmarking - Approved as Amended by Full Council on 06/22/2020
(2) Demolition Delay -
Zoning & Planning Held 8-0 on 06/28/21, Public Hearing Continued

Referred to Zoning & Planning Committee

Thursday, July 8, 2021

Present: Councilors Crossley (Chair), Albright, Leary, Wright, Ryan, and Baker; also present: Councilors Oliver, Bowman, Lipof; absent: Councilors Danberg and Krintzman

- #221-21** **Appointment of David Weinstein to the Newtonville Historic District Commission**
HER HONOR THE MAYOR appointing David Weinstein, 132 Cornell Street, Newton, as a full member of the NEWTONVILLE HISTORIC DISTRICT COMMISSION for a term to expire on June 30, 2024 (60 days: 08/06/21)
Zoning & Planning Approved 5-0 (Councilor Albright not Voting)
- #88-20** **Discussion and review relative to the draft Zoning Ordinance**
DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.
Zoning & Planning Held 6-0
- #240-21** **Requesting Ordinance Amendments to Chapter 30**
DIRECTOR OF PLANNING AND DEVELOPMENT requesting ordinance amendments to the Newton Zoning Ordinance, Chapter 30 in order to clarify definitions, edit missing or incorrectly transcribed provisions and revise inconsistencies in the ordinance.
Zoning & Planning Held 6-0; Public Hearing to be Assigned for August 16, 2021

Referred to Public Safety & Transportation Committee

Wednesday, June 23, 2021

Present: Councilor Downs (Chair), Markiewicz, Oliver, Lucas, Malakie, Lipof, Bowman and Grossman; also present: Councilor Noel

- #157-21** **Requesting four (4) new bus licenses for VPNE Parking Solutions, LLC.**
VPNE PARKING SOLUTIONS, LLC. requesting four (4) new bus licenses for VPNE Parking Solutions, LLC.
Public Safety & Transportation Approved 8-0
- #186-21** **Five (5) Bus License renewals for Trip Advisor Bus**
TRIP ADVISOR, requesting triennial renewal of five (5) bus licenses for a triennial term to provide employee-only shuttle service. There are no changes proposed from 2018.
Public Safety & Transportation Approved 8-0
- #229-21** **Bus Licenses renewals for Boston College Bus**
BOSTON COACH TRANSPORTATION, requesting annual renewal of the two Boston College Bus Licenses. There are no changes proposed to last year's licenses.
1) Boston College Law School Routes
2) Boston College Main Campus to Boston Route
Public Safety & Transportation Approved 8-0

- #230-21 Bus Licenses renewals for “MASCO”**
PAUL REVERE TRANSPORTATION LLC., request for annual renewal of one bus license for seven vehicles for Medical Academic and Scientific Community Organization, Inc., (“MASCO”). There are no changes proposed to last year’s licenses.
Public Safety & Transportation Approved 8-0
- #185-21 Semi-annual taxi license/public auto inspections**
POLICE DEPARTMENT submitting reports of semi-annual taxi license/public auto inspections for review.
Public Safety & Transportation Approved 8-0
- #238-21 Request for Discussion of Newton Centre Employee Permit Plan**
COUNCILORS BOWMAN, DANBERG AND NOEL requesting a discussion and potential trial of a Newton Centre Employee Permit Plan.
Public Safety & Transportation No Action Necessary 7-0, (Councilor Lipof not voting)

Referred to Public Safety & Transportation and Finance Committees

- #254-21 Amendments to Chapter 19 of the City of Newton Ordinances**
COUNCILORS DOWNS AND BOWMAN requesting to amend Chapter 19 of the City of Newton Ordinances to allow Newton North High School TIGER permit holders to park in the Austin Street Municipal lot without time restrictions or additional meter charges on school days. This change extends a trial in the field that removes TIGER parking on Lowell Avenue for pedestrian safety and give expanded room for parent drop-off while providing parking opportunities for the displaced permit holders in the Austin Street lot.
Public Safety & Transportation Approved 4-1-2, (Councilor Oliver opposed, Councilors Malakie and Lucas abstaining, Councilor Lipof not voting)
- #231-21 Resolution on the Worcester line stations in Newton**
COUNCILORS DOWNS, BOWMAN, NORTON, KALIS, LUCAS, HUMPHREY, KELLEY, MALAKIE, GREENBERG AND NOEL filing a Resolution to the General Court, Governor, MPO, MBTA and MassDOT on the Worcester line stations in Newton.
Public Safety & Transportation Approved 7-0, (Councilor Lipof not voting)

Referred to Public Facilities Committee

Wednesday, June 23, 2021

Present: Councilors Leary (Chair), Laredo, Kelley, Danberg, Kalis, and Crossley; also present: President Albright; Absent: Councilors Norton and Gentile

- #233-21 Eversource petition for Grant of Location in Church Street and Billings Park**
EVERSOURCE ENERGY petitioning for a grant of location to install 177’± of conduit in a southwesterly direction from the existing pole (514/9) located in front of #67 Church Street to an existing handhole in front of #12 Billings Park. (Ward 1 & 7).
Public Facilities Approved 6-0

#294-20 **Discussion to require or encourage the use of efficient electric technology**
COUNCILORS CROSSLEY, KELLEY, LEARY, NORTON, ALBRIGHT, GREENBERG, AUCHINCLOSS, MARKIEWICZ, NOEL, DANBERG, KALIS, DOWNS, LAREDO & HUMPHREY requesting a discussion with the Sustainability Team to consider creating an ordinance that may require and/or encourage the use of efficient electric technology for heating, cooling, hot water, cooking and other appliances in new and substantially renovated
Public Facilities Held 6-0

#12-21 **Referred to Zoning & Planning and Public Facilities Committees**
Request for energy efficiency analysis during construction
COUNCILORS CROSSLEY, BOWMAN AND ALBRIGHT requesting a discussion and possible ordinance to require that property owners who are proposing new construction or major renovations, submit an analysis and pricing for providing all electric high efficiency HVAC and appliances as an alternative to fossil fuel powered equipment.
Public Facilities Held 6-0

Referred to Real Property Reuse Committee

Thursday, June 24, 2021

Present: Councilors Danberg (Chair), Markiewicz, Greenberg, Albright, Kelley, Downs, Kalis and Laredo

#236-21 **Reuse of parcel of land behind 50 Stearns Street**
DIRECTOR OF PLANNING & DEVELOPMENT submitting on May 6, 2021 a letter stating that the a 8,800 sq. ft. City owned parcel of land known as Section 62 Block 23 Lot 15A at 50 Stearns Street, should be made available for sale or lease, pursuant to the City of Newton Ordinances Section 2-7.
Real Property Reuse Held 7-0

#393-20 **Reuse of former water tower site on Countryside Road**
DIRECTOR OF PLANNING & DEVELOPMENT submitting on September 10, 2020 a letter recommending that the former water tower site, a 16,900 sq. ft. parcel of land on Countryside Road, Ward 8, Newton Centre, known as Property ID: 83036 0003A be made available for sale or lease pursuant to Ordinance Section 2-7.
Real Property Reuse Approved the Sale of the parcel with a minimum price of "Fair Market Value 7-0; Public Hearing Closed 06/24/2021